



Office of the Attorney General
State of Texas

October 30, 1998

DAN MORALES
ATTORNEY GENERAL

Ms. Patrice Benford
Assistant City Attorney
Criminal Law & Police Division
Municipal Building
City of Dallas
Dallas, Texas 75201

OR98-2551

Dear Ms. Benford:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 119679.

The City of Dallas (the "city") received a request for information about crimes reported in a specified area. You contend that the originating telephone numbers and addresses on a 911 report for this area are excepted from disclosure pursuant to section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code. We have considered the exception you claim and have reviewed a representative sample of the information at issue.¹

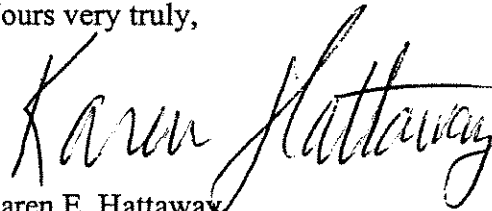
Section 552.101 of the Government Code excepts from disclosure information considered to be confidential by law, either constitutional, statutory, or by judicial decision. This section encompasses information protected by other statutes. You claim that section 772.318 of the Health and Safety Code, one of several confidentiality provisions in chapter 772 of the Health and Safety Code, makes the originating telephone numbers and addresses confidential. As you raise this section, we assume that the emergency 911 district involved here was established in accordance with chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communications districts. Sections 772.118, 772.218 and 772.318 of the Health and Safety Code make confidential the originating telephone numbers and addresses of 911 callers furnished by a service supplier. *See Open*

¹We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See Open Records Decision Nos. 499 (1988), 497 (1988).* This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

Records Decision No. 649 (1996). Section 772.118 applies to emergency communication districts for counties with a population over two million. Section 772.218 applies to emergency communication districts for counties with a population over 860,000. Section 772.318 applies to emergency communication districts for counties with a population over 20,000. Subchapter E, which applies to counties with populations over 1.5 million, does not contain a confidentiality provision regarding 911 telephone numbers and addresses. Health & Safety Code § 772.401, *et seq.* Thus, if the emergency communication district here is subject to section 772.118, 772.218 or 772.318, the originating telephone numbers and addresses on the 911 report are excepted from public disclosure based on section 552.101 as information deemed confidential by statute.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. Pursuant to section 552.301 of the Government Code, the city may rely on this ruling as a "previous determination" concerning originating telephone numbers and addresses on 911 call reports.

Yours very truly,

A handwritten signature in black ink, reading "Karen Hattaway". The signature is fluid and cursive, with the first name "Karen" and last name "Hattaway" clearly distinguishable.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/mjc

Ref: ID# 119679

Enclosures: Submitted documents

cc: Mr. Timothy McCune
Beckham & Thomas
2626 Cole Avenue
Dallas, Texas 75204
(w/o enclosures)